

Remarks

The specification has been amended to coincide with the claim amendments discussed below. In particular, paragraph [0025] has been amended to set forth that the heights are substantially uniform. In accordance with MPEP 2163.06 "...information contained in any one of the specification, claims or drawings of the application as filed may be added to any other part of the application without introducing new matter." The uniform nature of the heights of the first and second portions of the first insulator are clearly shown in Figures 1 and 3-6 as originally filed. Therefore, no new matter is being introduced.

After entry of the subject Amendment, claims 1-5, 8-11, 13-23, and 28-32 will be pending in the application with Claims 1 and 20 being in independent form. Claims 1 and 20 have been amended to distinguish these claims from the prior art of record. Claims 8-10, 13, and 28-29 are also being amended. Claims 6-7 are being cancelled and claims 2-5, 11, 14-19, 21-23, and 30 remain unchanged. Claims 31 and 32 are being added and claims 12 and 24-27 were previously cancelled.

Claims 1-4, 6, 7, 9, 10, 11, 13-19 stand rejected under 35 U.S.C. 102(b) as being anticipated by US 4,298,193 to Mourray. Claims 1-4, 6, 7, 9, 10, 11 and 13-17 stand rejected under 35 U.S.C. 102(b) as being anticipated by US 4,804,169 to Hassan. Claims 5, 20-23 and 28-30 stand rejected under 35 U.S.C. 103(a) as being unpatentable over either Mourray or Hassan in view of US 5,743,547 to Voss et al. Claim 8 stands rejected under 35 U.S.C. 103(a) as being unpatentable over either Mourray or Hassan. Claims 1-11, 13-23 and 28-30 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-12, 14, 15, 18-24, 27-36 and 38-47 of co-pending Application No. 10/619,913.

The independent claims (Claims 1 and 20) have been amended to overcome these rejections. In particular, each of these independent claims now require that the base is substantially flat relative to the support structure and that the first and second portions have a substantially uniform first height between the base and a top of the first portion. Further, the second portion has a second height that is substantially uniform between the base and a top of the ledge. The uniform nature of the heights allows the first and second portions to be compressed uniformly during the application of the forces.

Turning to the prior art currently relied on by the Examiner, the Mourray and Hassan references do not disclose, teach, or suggest the structure of the insulator as claimed in independent claims 1 and 20. Specifically, Mourray discloses an insulator 19 having an uneven base 61 and varied heights. As shown in Figure 1 of Mourray, the base 61 of the insulator 19 extends from the section adjacent reference numeral 60 upward to the section proximate to reference numeral 63. The insulator 19 of Mourray also includes a sloping outer surface 66 which creates an insulator of varied heights that cannot be uniformly compressed. With this configuration, the insulator 19 of Mourray clearly does NOT include a *flat* base, a *uniform height* for a first portion, or a *uniform height* for a second portion for uniformly compressing the portions as is claimed in independent claims 1 and 20.

Similarly, Hassan discloses an insulator 50 having a non-uniform base with varied heights. As shown in Figure 1 of Hassan, the base of the insulator 50 is disposed near reference numerals 46, 48 and non-uniformly extends upward to an area abutting part 54 adjacent reference numeral 50. The top of the insulator 50 also has an uneven raised surface 51. The configuration of this insulator 50 therefore does NOT include a *flat* base, a *uniform height* for a first portion, or a *uniform height* for a second portion for uniformly compressing the portions as is claimed in independent claims 1 and 20. As an additional distinction, the insulator 50 of Hassan operates primarily in shear as opposed to compression as is required by the claims. In other words, the insulator 50 is formed on the sleeve 44 (see Col. 3, lines 12-14) such that the majority of the insulator 50 is not compressed.

As for the double patenting rejection, the Examiner contends that the claims of the subject application are not patentably distinct from the claims of co-pending application Serial No. 10/619,913. Applicant respectfully submits that the Examiner is incorrect in this contention. Although the claims do have some similar limitations, the claims are quite distinct from each other. As an example, Claim 1 of the 10/619,913 application requires a piston rod and a plate, which are NOT found in any of the claims of the subject application. Upon a careful review of the claims of the subject application against the claims of the 10/619,913 application, Applicant believes that the Examiner will find these claims to be

patentably distinct and therefore withdraw the double patenting rejection.

In accordance with the claim amendments and above remarks, Applicant believes that independent Claims 1 and 20 are in a condition for allowance. Claims 2-5, 8-11, 13-19, 21-23, and 28-32 are also allowable as these claims depend from the unique features of Claim 1 or 20.

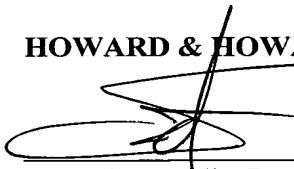
The remaining references cited but not applied to the claims have been considered. Since the Examiner has apparently considered these references as less pertinent than the above discussed references, further discussion of the non-applied references, at this time, is considered unnecessary. However, it is respectfully submitted that the claims in the subject patent application patentably define over all references of record either independently or in combination.

The Commissioner is authorized to charge our Deposit Account No. 08-2789 for any additional fees or credit the account for any overpayment.

Respectfully submitted,

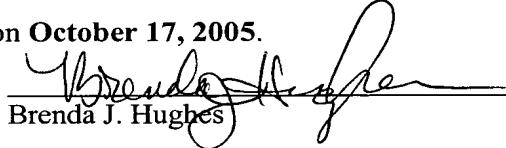
HOWARD & HOWARD ATTORNEYS, P.C.

Date: October 17, 2005


Samuel J. Hardle, Registration No. 42,619
The Pinehurst Office Center, Suite 101
39400 Woodward Avenue
Bloomfield Hills, MI 48304-5151
(248) 723-0334

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

I hereby certify that the enclosed **Amendment** and **return post card** are being deposited with the United States Postal Service as Express Mail, postage prepaid, in an envelope as "Express Mail Post Office to Addressee", **Mailing Label No. EV 695 474 040 US** and addressed to **Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450**, on **October 17, 2005**.


Brenda J. Hughes